REMARKS

Claims 1, 11, and 21 have been amended. Claims 1, 3-11 and 13-30 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Provisional Double Patenting Rejections:

The Examiner provisionally rejected claims 9, 10, 19, 20, 29 and 30 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 11, 20, 30, 47 and 56 of co-pending Application No. 10/670,849 in view of McDowell, et al. (U.S. Publication 2002/0035605) (hereinafter "McDowell"). Additionally, the Examiner provisionally rejected claims, and claims 9, 10, 19 and 20 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 9, 18, 28 and 37 of co-pending Application No. 10/670,849, and claims 8 and 18 over claims 12 and 26 of co-pending Application No. 10/670,550. Applicant submits that these rejections are moot in view of the amendments to claims 1, 11, and 21 indicated above.

Section 103(a) Rejections:

The Examiner rejected claims 1, 5-7, 9-12, 15-17, 19-22, 25-27, 29 and 30 under 35 U.S.C. § 103(a) as being unpatentable over McDowell et al. (U.S. Publication 2002/0035605) (hereinafter McDowell) in view of Knauerhase et al. (U.S. Publication 2003/0104819) (hereinafter Knauerhase), claims 1, 4, 5, 7, 8, 11, 18, 21 and 28 as being unpatentable over Horvitz (PCT Application WO 01/69387), claims 3, 13 and 23 as being unpatentable over McDowell and Knauerhase in view of Keinonen et al. (U.S. Patent 6,728,530) (hereinafter Keinonen), and claims 4, 14 and 24 as being unpatentable over McDowell in view of Knauerhase and Coan et al. (U.S. Patent 7,120,424) (hereinafter Coan). While Applicant traverses these rejections, Applicant has amended the independent claims to clarify their distinctive features. Applicant submits that rejection

of the amended claims is unsupported by the cited references for at least the following reasons.

Regarding claim 1, the cited references fail to teach or suggest, either separately or in any combination, a calendar application storing schedule information corresponding to a given user, wherein said schedule information is indicative of an activity status of said given user at one or more given times, and wherein for at least a particular one of said one or more given times, said activity status includes a corresponding event title that is specifically descriptive of said given user's activity at said particular time; querying said calendar application for said schedule information; determining for each given time whether a current presence state specific to an instant messenger client corresponds to said activity status indicated by said schedule information; and in response to determining that the current presence state specific to the instant messenger client does not correspond to said activity status indicated by said schedule information, automatically assigning and storing a different presence state that corresponds to said activity status, wherein said current presence state and said different presence state each correspond to said given user, and wherein said different presence state corresponding to said activity status of said particular time is indicative of at least a portion of said corresponding event title included in said activity status.

1. The cited references do not disclose assigning a presence state that is indicative of a portion of an event title that is included within an activity status.

In rejecting claim 1, the Examiner relies upon Knauerhase to disclose various aspects of a calendar application that is queried for activity status. Applicants note that in paragraphs 60–70, Knauerhase describes a process for modifying state information according to the indications of calendar 362, including examples of determining whether the calendar information indicates a meeting time, a teleconference time, a television program, or a user-specified time. In response to determining that a current time corresponds to any of these times, Knauerhase discloses that presence states of "do not disturb," "available" or "unavailable" are variously returned.

Applicant notes that the presence states provided by Knauerhase are completely generic and do not reflect any descriptive details regarding the calendar information that triggered assignment of the presence states. In fact, Knauerhase assigns the same presence state of "do not disturb" to three events that are quite distinct in nature: a meeting, a teleconference, and a television program. By contrast, amended claim 1 requires that the assigned presence state be <u>indicative of at least a portion of an event title that is included in the activity status</u> provided by a calendar application, where the event title is <u>specifically descriptive</u> of the user's activity at the corresponding time. Knauerhase's generic presence states fail to provide the descriptive event title information required by amended claim 1.

2. The cited references do not disclose assigning a different presence state <u>in response to determining that a current presence state does not correspond to an indicated activity status</u>.

In rejecting claim 1, the Examiner relies upon Knauerhase to disclose the recited feature of automatically assigning and storing a different presence state that corresponds to the activity status <u>in response to determining that the current presence state specific to the instant messenger client does not correspond to the activity status indicated by said schedule information</u>. However, Knauerhase fails to disclose that a presence state is assigned <u>in response to determining that there is a difference, or lack of correspondence,</u> between the current presence state and the indicated activity status. Rather, as Knauerhase describes at paragraphs 60–70, changes in presence state that result from calendar information are driven solely by determining whether a <u>current time</u> as indicated by a clock 369 <u>falls within a time indicated as corresponding with a particular event</u> as reflected by calendar 362.

That is, Knauerhase does not disclose that changes in presence state occur in response to determining some characteristic of a <u>current presence state</u> (i.e., its correspondence with an activity status). Rather, Knauerhase discloses only that changes

in presence state occurs as <u>a function of the current time</u> and fails to disclose that any aspect of assigning a presence state is dependent upon a determination involving the current presence state.

Similar arguments apply to independent claims 11 and 21, which have been amended to recite features similar to claim 1. For at least the foregoing reasons, Applicant submits that the rejections of the independent claims would be unsupported by the cited references. Applicant notes that the rejections of various ones of the dependent claims are further unsupported by the cited references. However, since the rejection of the amended independent claims has been shown to be unsupported, further discussion of the dependent claims is currently unnecessary.

CONCLUSION

Applicant submits that the application is in condition for allowance, and notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-69800/RCK.

Respectfully submitted,

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